

**REGULAR MEETING MINUTES
FOR THE CITY COUNCIL OF THE CITY OF MANTECA**

June 18, 2024

CALL TO ORDER: 6:00 p.m.

Roll Call:

Present: Halford, Morowit, Nuño, Breitenbucher, Singh

INVOCATION/FLAG SALUTE:

Invocation and flag salute was led by Vice Mayor David Breitenbucher.

AGENDA REVIEW AND SUPPLEMENTAL REPORTS:

City Clerk Cassandra Candini-Tilton announced the following supplemental report:

- Updated Attachment 2 for item C.5. changing the bid submission date from July 11th to July 9th.
- PowerPoint from applicant for item D.4.

DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

A. PRESENTATIONS:

A.1. 24-213 Proclamation Honoring the month of July as Parks and Recreation Month.

The City Council presented the proclamation to the Recreation & Community Services Department.

A.2. 24-326 Proclamation honoring the month of June as National Portuguese Heritage Month.

The City Council presented the proclamation to members of the Manteca-Ripon Pentecost Society (MRPS) Hall, the Festa do Espirito Santo de Manteca (FESM) Hall, and to community members.

A.3. 24-327 Proclamation honoring June 19, 2024, as Juneteenth Day.

The City Council presented the proclamation to members of the Senior Center and to community members.

A.4. 24-328 Present a Certificate of Recognition to HOPE Family Shelters for receiving the California's District 9 Nonprofit of the Year.

ATTACHMENT 2

The City Council presented the certificate to Cecily Ballungay, CEO of HOPE Family Shelters along with the HOPE Shelters' board members.

- A.5. 24-338** Life Saving Certificates presented to Jacqueline and Liana Duenas.

The City Council presented the certificates to Jacqueline and Liana Duenas.

- A.6 24-342** Present Certificates of Completion to the Level Up Leadership Academy of 2024.

The City Council presented the certificates to the Level Up Leadership Academy participants.

B. PUBLIC COMMENT: None.

C. CONSENT ITEMS:

ACTION: Moved, seconded (Nuño/Morowit) to approve the Consent Calendar as presented with Councilmember Halford and Vice Mayor Breitenbucher abstaining from item C.5.

Motion carried:

AYES: Breitenbucher, Halford, Morowit, Nuño, Singh

NOES: None

City Manager:

- C.1. 24-320** Adopted **Resolution R2024-92** revising the funding allocation of 2024-25 Community Development Block Grant (CDBG) fund and 2024-25 HOME funds as noted in the fiscal impact section and authorized the City Manager to amend the Capital Improvement Program for any fiscal year, as applicable and as necessary, to appropriate CDBG funds to the Navigation Center Project (CIP 24001) in alignment with this CDBG allocation amounts to the project for each applicable fiscal year.

- C.2. 24-319** Approved a Professional Services Agreement with Shield Protection Group, Inc. in an amount not-to-exceed \$302,984.88 for security guard services to Shield Protection Group, Inc. and authorized the City Manager to sign the agreement, and any associated documents.

- C.3. 24-321** Adopted **Resolution R2024-93** approving an agreement with His Way Refuge to provide operational services for a one (1) year period July 1, 2024, through June 30, 2025, with a total amount not-to-exceed \$844,386.57 and authorized the City Manager to sign the agreement and any associated documents.

Development Services

- C.4. 24-236** Adopted **Resolution R2024-94** accepting the Fiber Master Plan from Kimley Horn and authorized staff to apply for grant funding for implementation.

Engineering:

- C.5. 24-282** Adopted **Resolution R2024-95** approving Plans and Specifications for the 2024 Annual Pavement Maintenance Project (bounded by Yosemite, Spreckels, Moffat, and Main), approved the California Environmental Quality Act Notice of Exemption determination, authorized a Call for Bids, and authorized the City Manager or Designee to take all appropriate actions necessary to carry out the purpose and intent of the resolution (Exempt from CEQA pursuant to 14 Cal. Code Regs. § 15301(c)).

Clerk Note: Councilmember Halford and Vice Mayor Breitenbucher abstained from the vote on this item.

- C.6. 24-281** Adopted **Resolution R2024-96** approving the Fiscal Year 2024-2025 Capital Improvement Program list of projects eligible for Senate Bill 1 funding; and authorized the City Manager or designee to submit approved list of projects to the California Transportation Commission for funding apportionment, complete, and execute all associated documents, and take all appropriate actions necessary to carry out the purpose and intent of the resolution.
- C.7. 24-298** Adopted **Resolution R2024-97** approving Plans and Specifications for the Main Street (Northgate Drive to Alameda Street) Bike and Pedestrian Capital Improvement Program Project CIP No. 20005, approved the California Environmental Quality Act Notice of Exemption determination, authorized a Call for Bids, and authorizing the City Manager or designee to apply for permits, apply for State and Federal grants, solicit project funding support, complete and execute all associated documents, and take all appropriate actions necessary to carry out the purpose and intent of the resolution (Exempt from CEQA pursuant to 14 Cal. Code Regs. § 15301(c)).
- C.8. 24-310** Adopted **Resolution R2024-98** approving part-width street improvements of Airport Way for Lumina at Machado Ranch Subdivision.
- C.9. 24-235** Adopted **Resolution R2024-99** approving Amendment No. 1 to Agreement C2023-136 for Professional Services with Carollo Engineers, Inc. for the WQCF Sludge Thickener (CIP 24007 and Dewatering Unit No. 3 System Design Project (CIP 24006) for an amount not-to-exceed \$929,835, and authorized the City Manager or designee to execute the Amendment, apply for permits, apply for State and Federal grants, solicit project funding support, complete and execute all associated documents, and take all appropriate actions necessary to carry out the purpose and intent of the resolution.

ATTACHMENT 2

- C.10. 24-261** Adopted **Resolution R2024-100** approving Plans and Specifications for the WQCF Capacity Improvement Projects Flow Split Repair (CIP 23002), IMLR Pump Replacement (CIP 23003), Process Aeration Control (CIP 23004), and Zone B Mixing System (CIP 23005); approved the California Environmental Quality Act Notice of Exemption determination, authorizing a Call for Bids; and authorized the City Manager or designee to take all appropriate actions necessary to carry out the purpose and intent of the resolution (Exempt from CEQA pursuant to 14 Cal. Code Regs. § 15301(c)).
- C.11. 24-316** Adopted **Resolution R2024-101** approving a Professional Services Agreement with Carollo Engineers, Inc. for the preparation of a predesign report for the WQCF Ammonia Sidestream Treatment Project and Ultra-Violet Disinfection System Rehabilitation Project in an amount not-to-exceed \$615,322, including a project budget contingency of 10% (\$61,532) for a total not-to-exceed project budget of \$676,854; authorized the City Manager or designee to execute the Agreement, approve project contingencies up to the total project budget, apply for permits, apply for State and Federal grants, solicit project funding support, complete and execute all associated documents, and take all appropriate actions necessary to carry out the purpose and intent of the resolution.
- C.12. 24-311** Approved partial acceptance of public improvements in accordance with the Subdivision Partial Acceptance Policy for the Griffin Park Unit 5 subdivision, Tract 4049.
- C.13. 24-312** Adopted **Resolution R2024-102** determining Knife River Construction as the lowest, responsive, and responsible bidder for the Lathrop Road (Union Road to Highway 99) Pavement Improvement Project CIP 24111; awarded the construction contract to Knife River Construction in the amount of \$1,874,525; approved an Agreement for Services with Dewberry Engineers, Inc. to provide construction management and inspection services in an amount not-to-exceed \$249,283; approved a Project Budget Contingency of \$300,000 for a total Project Budget of \$2,423,808; and authorized the City Manager or designee to execute the construction contract, Agreement for Services, approve change orders and Agreement amendments up to the total Project budget, and take all appropriate actions necessary to carry out the purpose and intent of the resolution.

Finance:

- C.14. 24-314** Adopted **Resolution R2024-103** authorizing HDL Companies to examine the City's Sales, Transactions and Use tax records and approved an agreement with Hinderliter, De Llamas & Associates dba HdL Companies (hereafter "HDL" or "HDL Companies") for tax consulting and administration services for a three-year period (expiring on June 30, 2027) in an amount not-to-exceed \$115,000 and authorized the City

Manager to execute the agreement and any associated documents..

C.15. 24-332 Adopted **Resolution R2024-104** approving the Fiscal Year 2024-25 Gann Appropriations Limit.

C.16. 24-306 Adopted **Resolution R2024-105** authorizing the submittal of the Fiscal Year 2021-22 Transportation Development Act Claim Form to the San Joaquin Council of Governments for allocation of public transportation funds to the City of Manteca.

Human Resources:

C.17. 24-309 Adopted **Resolution R2024-106** approving: 1) New job classifications; 2) Special salary adjustments for certain classifications covered by the Technical and Support Services Association (TSS), Mid-Manager Association (MMA) and Confidential Employees' Unit (CEU) and their related salary schedules; 3) Updated CEU Compensation Plan Document; and 4) Updated Side Letter Agreement with TSS regarding Flex Staffing.

C.18. 24-300 Approved a Side Letter Agreement to the existing Memorandum of Understanding (MOU) with the Manteca Professional Firefighters IAFF Local 1874 (Fire Unit).

Legislative Services/City Clerk:

C.19. 24-294 Approved the June 4, 2024, Special and Regular Meeting Minutes and the Meeting Minutes of the June 12, 2024, Special Meeting.

Police Department:

C.20. 24-329 Adopted **Resolution R2024-107** approving an agreement with San Joaquin County, "San Joaquin County Special Assessment Charge Agreement", to apply direct assessment of delinquent enforcement fees, fines, and abatement costs on the property owner as listed on the last equalized assessment roll maintained by the San Joaquin County assessor; authorized the City Manager to sign; and certify and approve properties and delinquent amounts to be assessed on the San Joaquin County property tax roll of the property owner.

Public Works:

C.21. 24-303 Adopted **Resolution R2024-108** approving the City of Manteca Transit's 2024 Title VI Program for Fiscal Years 2025-2027.

C.22. 24-318 Adopted **Resolution R2024-109** authorizing the use of the Alisal Union School District BID #2023-2024-01 to purchase and install a charging station and supporting infrastructure at the Manteca Transit Center in the amount of \$110,375.25 and an additional 5% contingency amount of

\$5,518.76 for a total amount of \$115,894.01 for the Transit Wheelchair Accessible Van Capital Improvement Program Project 23029.

D. PUBLIC HEARINGS:

- D.1. 24-249** After receiving public testimony, adopt a resolution ordering the levy and collection of annual assessments for the City's Landscape Maintenance Districts and Benefit Assessment Districts for Fiscal Year 2024-25 as listed.

Acting Budget Manager Lana McBroom provided a brief report.

Mayor Singh opened the public hearing at 6:38 p.m. and seeing no one come forward, he closed the public hearing at 6:38 p.m.

ACTION: Moved, seconded (Breitenbucher/Halford) to adopt **Resolution R2024-110** ordering the levy and collection of annual assessments for the City's Landscape Maintenance Districts and Benefit Assessment Districts for Fiscal Year 2024-25 as listed.

Motion carried:

AYES: Breitenbucher, Halford, Morowit, Nuño, Singh
NOES: None

- D.2. 24-267** Conduct a public hearing and adopt a resolution approving the Engineer's Report for the Villa Ticino West Unit No 1 & 2 Area of Benefit and forming the Villa Ticino West Unit No 1 & 2 Area of Benefit District.

Director of Engineering Kevin Jorgensen provided a brief report.

Mayor Singh opened the public hearing at 6:40 p.m. and seeing no one come forward, he closed the public hearing at 6:40 p.m.

ACTION: Moved, seconded (Breitenbucher/Halford) to adopt **Resolution R2024-111** approving the Engineer's Report for the Villa Ticino West Unit No 1 & 2 Area of Benefit and forming the Villa Ticino West Unit No 1 & 2 Area of Benefit District.

Motion carried:

AYES: Breitenbucher, Halford, Morowit, Nuño, Singh
NOES: None

- D.3. 24-287** Waive the first reading by substitution of the title and introduce an Ordinance of the City Council, amending Manteca Municipal Code Chapter 15.04 of Title 15 to incorporate California Building Code Appendix P adopting Appendix P; incorporating Emergency Housing Building Standards (CEQA Exempt pursuant to 14 Cal. Code Regs. § 15061(b)(3)).

ATTACHMENT 2

Deputy Director of Development Services Brad Wungluck provided a brief report.

Mayor Singh opened the public hearing at 6:43 p.m. and seeing no one come forward, he closed the public hearing at 6:43 p.m.

ACTION: Moved, seconded (Breitenbucher/Nuño) to waive the first reading by substitution of the title and introduce an Ordinance of the City Council, amending Manteca Municipal Code Chapter 15.04 of Title 15 to incorporate California Building Code Appendix P adopting Appendix P; incorporating Emergency Housing Building Standards (CEQA Exempt pursuant to 14 Cal. Code Regs. § 15061(b)(3)).

Motion carried:

AYES: Breitenbucher, Halford, Morowit, Nuño, Singh

NOES: None

- D.4. 24-299** Find the project exempt from CEQA; and adopt a resolution approving a Conditional Use Permit for Nectar Markets of California (File No. UPJ 24-26). (CEQA exempt pursuant to 14 Cal. Code Regs. § 15301, Class 1, "Existing Facilities.").

Associate Planner Scott Speer provided a PowerPoint presentation.

Mayor Singh opened the public hearing at 6:47 p.m.

Applicant Mike Getlin gave a brief overview and introduced Dani Scoles who provided a PowerPoint presentation.

Sudhakar provided public comment on the item.

Unnamed citizen provided public comment on the item.

Applicant Mike Getlin provided a rebuttal in response to the public comments.

Mayor Singh closed the public hearing at 7:04 p.m.

ACTION: Moved, seconded (Nuño/Morowit) to find the project exempt from CEQA; and adopt **Resolution R2024-112** approving a Conditional Use Permit for Nectar Markets of California (File No. UPJ 24 26). (CEQA exempt pursuant to 14 Cal. Code Regs. § 15301, Class 1, "Existing Facilities.") and prevented use of "420" in exterior building signage.

Motion carried:

AYES: Halford, Morowit, Nuño, Singh

NOES: Breitenbucher

- D.5. 24-333** Receive a presentation, conduct a public hearing, and adopt a resolution adopting the Annual Budget for the City of Manteca for Fiscal Year 2024-25.

Director of Finance Shay Naryan and Acting Budget Manager Lana McBroom provided a PowerPoint presentation.

Mayor Singh opened the public hearing at 7:32 p.m. and seeing no one come forward, Mayor Singh closed the public hearing at 7:33 p.m.

ACTION: Moved, seconded (Halford/Morowit) to adopt **Resolution R2024-113** adopting the Annual Budget for the City of Manteca for Fiscal Year 2024-25.

Motion carried:

AYES: Breitenbucher, Halford, Morowit, Nuño, Singh

NOES: None

- D.6. 24-188** Conduct a Public Hearing and adopt a resolution approving Amendment No. 1 for the Engineering and Traffic Survey for Speed Limits; waive the first reading by substitution of title and introduce an ordinance of the City Council of the City of Manteca, State of California, amending Manteca Municipal Code Title 10 Vehicles and Traffic, Chapter 10.12 Speed Limits, section 10.12.020 Designated (speed limits on certain city streets); and authorizing the City Manager or designee to take all appropriate actions necessary to carry out the purpose and intent of the resolution.

Senior Engineer Beshoy Demyan provided a brief report.

Mayor Singh opened the public hearing at 8:04 p.m. and seeing no one come forward, Mayor Singh closed the public hearing at 8:05 p.m.

ACTION: Moved, seconded (Breitenbucher/Halford) to adopt **Resolution R2024-114** approving Amendment No. 1 for the Engineering and Traffic Survey for Speed Limits; waived the first reading by substitution of title and introduced an ordinance of the City Council of the City of Manteca, State of California, amending Manteca Municipal Code Title 10 Vehicles and Traffic, Chapter 10.12 Speed Limits, section 10.12.020 Designated (speed limits on certain city streets); and authorized the City Manager or designee to take all appropriate actions necessary to carry out the purpose and intent of the resolution and ensuring all speed limits and conditions comply with school zones.

Motion carried:

AYES: Breitenbucher, Halford, Morowit, Nuño, Singh

NOES: None

Mayor Singh adjourned to recess at 8:11 p.m.

Mayor Singh reconvened the meeting at 8:22 p.m.

E. DISCUSSION ITEMS:

- E.1. 24-195** Waive the second reading by substitution of title and adopt an Ordinance of the City Council of the City of Manteca, State of California, adding Chapter 2.48.045 to the Manteca Municipal Code to amend the contract between the California Public Employee Retirement System and the City of Manteca per Government Code Section 20516; authorizing the Amendment to the contract between the Board of Administration of the California Public Employees' Retirement System (CalPERS) and the City of Manteca, to include the provisions of retirement law Government Code section 20516 (Employee Cost Sharing) for Manteca Police Officers Association (MPOA) and Manteca Public Safety Managers Association (MPSMA). Pursuant to CalPERS retirement law (Government Code Section 20471), a Resolution of Intention to amend the contract with CalPERS was previously adopted by the City Council on April 2, 2024.

Human Resources Director Stephanie Van Steyn provided a brief report.

ACTION: Moved, seconded (Halford/Breitenbucher) to waive the second reading by substitution of title and adopt **Ordinance O2024-12** of the City Council of the City of Manteca, State of California, adding Chapter 2.48.045 to the Manteca Municipal Code to amend the contract between the California Public Employee Retirement System and the City of Manteca per Government Code Section 20516; authorized the Amendment to the contract between the Board of Administration of the California Public Employees' Retirement System (CalPERS) and the City of Manteca, to include the provisions of retirement law Government Code section 20516 (Employee Cost Sharing) for Manteca Police Officers Association (MPOA) and Manteca Public Safety Managers Association (MPSMA).

Pursuant to CalPERS retirement law (Government Code Section 20471), a Resolution of Intention to amend the contract with CalPERS was previously adopted by the City Council on April 2, 2024.

Motion carried:

AYES: Breitenbucher, Halford, Morowit, Nuño, Singh

NOES: None

- E.2. 24-341** Approval of Amendments to the Contracts and Summary of Benefits for Toni Lundgren, City Manager and L. David Nefouse, City Attorney.

Legal Counsel Genevieve Ng provided a brief report.

ATTACHMENT 2

ACTION: Moved, seconded (Morowit/Breitenbucher) to approve Amendments to the Contract and Summary of Benefits as presented for Toni Lundgren, City Manager along with adding a 4% merit increase.

Motion carried:

AYES: Breitenbucher, Halford, Morowit, Nuño, Singh

NOES: None

ACTION: Moved, seconded (Halford/Nuño) to approve Amendments to the Contract and Summary of Benefits as presented for L. David Nefouse, City Attorney along with adding a 2% merit increase.

Motion carried:

AYES: Breitenbucher, Halford, Morowit, Nuño, Singh

NOES: None

Genevieve Ng provided a brief report pursuant to Government Code Section 54953(c)(3) and read out total contract amounts of \$270,300 for Toni Lundgren, City Manager, and \$259,222 for L. David Nefouse, City Attorney.

ACTION: Moved, seconded (Morowit/Halford) to approve Amendments to the Contracts and Summary of Benefits for Toni Lundgren, City Manager and L. David Nefouse, City Attorney as stated by Legal Counsel Genevieve Ng.

Motion carried:

AYES: Breitenbucher, Halford, Morowit, Nuño, Singh

NOES: None

City Attorney David Nefouse conveyed his dedication and enthusiasm for his role as city attorney, and expressed gratitude to the City Council, staff, the community, and his family.

F. CITY MANAGER COMMENTS:

City Manager Toni Lundgren conveyed dedication and enthusiasm for her role as city manager; expressed gratitude to the City Council; acknowledged and thanked staff and the Senior Leadership Team for the support they provide each day; thanked the Engineering team for the hard work on the opening the McKinley interchange; thanked the Finance team for all their hard work on the budget; announced street maintenance on Spreckels Avenue between Norman Drive and Dupont Court from June 19, 2024 through July 3, 2024; announced street maintenance on Lousie Avenue from Main Street to Highway 99 from June 24, 2024 through October 24, 2024; announced Music on Maple on June 20, 2024 at 6:00 p.m.; announced Go Skateboarding Day on June 22, 2024 at the Manteca Skate Park at 8:00 a.m.; announced Candidate Information Night on June 26, 2024 at 5:30 p.m. in the City Council Chambers; announced the short-range transit plan workshop at the Manteca Transit Center on June 27, 2024 at 10:00 a.m. and 5:00 p.m., with Manteca Transit providing free bus service to the workshop; announced ticket sales and extended an invitation to everyone to the Stockton Ports City of Manteca Night on June 27, 2024 at 7:00 p.m. at Banner Island Ballpark;

announced the Manteca Recreation and Community Services Summer Activity Guide; announced the Fourth of July Fireworks at Big League Dreams at 9:30 p.m.; thanked the Manteca Police and Fire Departments for their hard work on the McKinley fire; and announced the cancellation of the July 2, 2024 City Council meeting.

G. COUNCIL COMMENTS:

Councilmember Nuño spoke positively of the opening of the McKinley interchange project; acknowledged the Manteca Police Department and Fire Department for their hard work on the McKinley fire; and spoke regarding fire safety.

Fire Chief Dave Marques provided an update on upcoming fireworks enforcement.

Councilmember Halford spoke positively of the opening of the McKinley interchange project.

Councilmember Morowit requested City Council consensus to update street development standards pertaining to signage and safety. Director of Engineering Kevin Jorgensen provided an update regarding a draft policy to address the issues. The City Council provided consensus for staff to return in the future with an update. Councilmember Morowit urged staff to address street development standard issues on current projects; announced his attendance at the Del Webb softball game; spoke positively of the opening of the McKinley interchange project; announced his attendance at the 2nd Fil-Am Philippines Independence Day Celebration at the Collective; and thanked everyone for staying for the meeting.

Vice Mayor Breitenbucher wished everyone a happy Fourth of July; spoke positively of the opening of the McKinley interchange project; announced the July 2024 groundbreaking for the Highway 120/Austin Road improvement project; announced the Louise Avenue and Lathrop Road maintenance project; encouraged the public to reach out to City staff if they have any concerns about current developments; and wished everyone a good night.

Mayor Singh spoke positively of the opening of the McKinley interchange project; announced the Manteca Police Department Citywide Business Watch meeting on June 19, 2024 at the Transit Center at 5:00 p.m.; announced the groundbreaking ceremony for Sutter Health on June 21, 2024; thanked the Engineering team for all of the hard work on pavement projects; requested a future update on the status of the Pavement Improvement Project list; and wished everyone a Happy Fourth of July.

H. ADJOURNMENT: Mayor Singh adjourned the meeting at 9:18 p.m. in memory of Willy Mays.

**CASSANDRA CANDINI-TILTON
CITY CLERK**